

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 2157

Examiner: Salad, Abdullahi Elmi

Serial No.: 10/091,997

Filed: March 5, 2002

In re Application of: Cleasby, et al.

For: METHOD AND SYSTEM FOR PARSING FOR USE IN A SERVER AND WEB
BROWSER

RESPONSE TO OFFICE ACTION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner:

In response to the Office Action dated July 18, 2006, please consider the following remarks.

REMARKS

Summary of Telephone Conversation

Examiner is thanked for the telephone conversation with Applicants' representative, Jonathan D. Hanish, on October 16, 2006. During the conversation, Examiner acknowledged that the most recent Office Action dated July 18, 2006 fails to address the amendments and arguments provided by Applicants in the Amendment dated June 28, 2006. This failure to address Applicants' amendments and arguments is discussed in further detail below.

Claim Rejections – 35 U.S.C. §103(a)

Claims 1-33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Bakshi et al. (US 6,772,200) in view of Petty et al. (US 6, 342,907).

For a §103 obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art; that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references; and that the proposed modification of the prior art must have had a reasonable expectation of success, determined from the vantage point of the skilled artisan at the time the invention was made. MPEP 2143.

In Applicants' Amendment dated June 28, 2006, Claim 1 was amended to recite a method of parsing content received by at least one client coupled to a server, the method comprising "... parsing the received content by said at least one client, wherein said parsing the received content includes the acts of: parsing said received content

using a Java portion of the client-side parser, and placing a call, as needed, into JavaScript for a rule script.”

Applicants respectfully submit that neither Bakshi nor Petty disclose placing a call, as needed, into JavaScript for a rule script, as recited in Claim 1. In fact, Applicants cannot find any mention of JavaScript at all in either Bakshi or Petty. Examiner asserts that Petty discloses placing a call, as needed, into Javascript for a rule script, citing Col. 7, lines 7-22. However, this cited passage only refers to Java, not JavaScript. As would be appreciated by one ordinarily skilled in the art, Java is not the same as JavaScript. Therefore, Applicants respectfully submit that Examiner has failed to establish that all elements of the invention are disclosed in the prior art.

Furthermore, even if Petty did disclose placing a call, as needed, into JavaScript for a rule script, there is no suggestion or incentive that would motivate one ordinarily skilled in the art to modify Bakshi to include this feature. Examiner has not provided any evidence of a motivation for such a modification. Applicants respectfully request that Examiner provide evidence of such a motivation or otherwise withdraw the rejection.

It is noted that Applicants presented these arguments in the Amendment dated June 28, 2006. However, Examiner has not addressed the substance of these arguments. MPEP 707.07(f) states, “Where the applicant traverses any rejection, the examiner should, if he or she repeats the rejection, take note of the applicant's argument and answer the substance of it.” Since Examiner has failed to answer the substance of Applicants’ arguments, Applicants respectfully request that Examiner either answer the substance of the arguments or otherwise withdraw the rejection.

Accordingly, Applicants respectfully submit that Claim 1 is non-obvious and patentable over Bakshi in view of Petty.

Since Claims 2 and 4-13 depend from Claim 1, Applicants respectfully submit that Claims 2 and 4-13 are also patentable as they contain the same limitations as Claim 1.

Claim 3 has been canceled and its subject matter has been incorporated into Claim 1.

The same arguments made above with respect to the patentability of Claim 1 are applicable to the patentability of Claim 14 as well.

Since Claims 15 and 17-23 depend from Claim 14, Applicants respectfully submit that Claims 15 and 17-23 are also patentable as they contain the same limitations as Claim 14.

Claim 16 has been canceled and its subject matter has been incorporated into Claim 14.

The same arguments made above with respect to the patentability of Claim 1 are applicable to the patentability of Claim 24 as well.

Since Claims 25 and 27-33 depend from Claim 24, Applicants respectfully submit that Claims 25 and 27-33 are also patentable as they contain the same limitations as Claim 24.

Claim 26 has been canceled and its subject matter has been incorporated into Claim 24.

Therefore, Applicants respectfully submit that Claims 1-2, 4-15, 17-25, and 27-33 are currently in condition for allowance. Reconsideration and withdrawal of the rejection is respectfully requested.

If the Examiner has any questions regarding this application, the Examiner may telephone the undersigned at 775-586-9500.

Respectfully submitted,
SIERRA PATENT GROUP, LTD.

Dated: October 17, 2006

/jonathan d. hanish/

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